

**STUDY SESSION NOTES  
CITY OF WHEAT RIDGE, COLORADO**

**March 7, 2011**

Mayor Pro Tem Langworthy called the Study Session to order at 6:30 p.m. Council Members present: Davis Reinhart, Karen Berry, Joyce Jay, Joseph DeMott, Karen Adams, Wanda Sang, and Mike Stites. Also present: City Manager, Patrick Goff; Administrative Services Director, Heather Geyer; City Clerk, Michael Snow; City Treasurer, Larry Schulz; Police Chief, Dan Brennan; Community Services Director, Kenneth Johnstone; Sales Tax Supervisor, Kathy Franklin; Planner, Sarah Showalter; Staff and interested citizens.

1. Marcellus Turner, Jefferson County Public Library presentation

Mr. Turner, Executive Director of Jefferson County Public Library, Bethany Fresby, Communications and Engagement Office, and Ann Cress, Deputy Executive Director were present. A video was presented to Council highlighting the public library's services. Council asked questions about the Library's future service plans, strategic initiatives, technological advances, and financing challenges.

2. Staff Reports

a) Urban Agriculture Code Amendments

Ms. Showalter and Mr. Johnstone summarized for Council several policy questions that will be addressed at the Planning Commission public hearing in April. Staff is proposing the following recommendations to Council:

Staff examined the following policy areas where no amendment in the zoning code is currently recommended:

- Yard sharing – private owners may allow other gardeners to use their property. There are no legal impediments to this in the current code.
- Home occupation regulations already in place allow selling of produce from home gardens.
- At this point, no zoning code concepts have been identified to incentivize farmer's markets or small grocer's sales of local produce. Staff is looking into financial incentives as one possible option.

Staff recommended code changes to address the following urban gardening policy concepts:

- Large, shared gardens such as community gardens, Community Supported Agriculture (CSA) or a market garden. Staff is proposing amendments that would allow produce from these sources be sold for profit rather than non-profit.
- Farmer's Markets have some categories where temporary sales are allowed but a clearer zoning category is needed.

- Produce stands where there is a small allotment allowed in the agricultural zone districts.
- Home occupation licenses to allow garden sales from homes in residential districts but not in others.
- Staff also recommended code changes to not allow Farmer's Markets in residential zoned areas.

Ms. Showalter stated that building code amendments are being reviewed to consider the ability to build temporary greenhouses which would extend the urban gardening growing season. Their goal is to find ways to be more lenient while maintaining safety standards.

The idea of potentially having a Farmer's Market at City Hall on the weekends has been discussed to allow Wheat Ridge residents who cannot attend the Thursday Farmer's Market. Community Development has started looking at City-owned property that might be usable for Farmer's Markets. They have reviewed locations and sizes as well as other considerations such as water availability and other facility needs.

Ms. Showalter contacted the President of the Denver Farmer's Market who stated that currently they have Markets on all days of the week including weekends. Therefore, it may be difficult to find enough produce sellers to support a new market at this time.

Council unanimously supported staff drafting an Ordinance to propose the recommended changes. They will bring it to Planning commission before Council consideration.

#### b) Crime in Wheat Ridge

Chief Brennan reviewed crime reports for the City of Wheat Ridge over the past 9 years. He compared crime statistics in 2005 versus those in 2010 and highlighted significant crime trends as follows:

- There has been a 26% decrease in burglaries.
- Arsons are down 20%.
- Motor vehicle theft decreased by 60%. This has been a particular area of focus over the past three years for Wheat Ridge Police which accounts for the large decrease.
- A 19% decrease in aggravated assaults occurred over this time period.
- Forced sexual assaults increased from 22 in 2005 to 31 in 2010.
- Criminal trespasses reduced by 54%. These trespass calls are most commonly car break-ins in parking lots.
- Calls for service and crime reports taken decreased 12% during this time.
- Chief Brennan passed out a report compiled by the Colorado Bureau of Investigation (CBI) which has the crime statistics for each city in the State. He cautioned using this report to compare Wheat Ridge to city's of a similar size such as Englewood or Commerce City because of the different socioeconomic makeup of each community.
- Chief Brennan concluded that Wheat Ridge' crime reduction is due partly to national trends, but also due to the community education and crime prevention programs in the City.

c) Addition of youth appointment to Parks and Recreation Commission

Mrs. Manwaring reported the Parks & Recreation commission would like to add a youth member to the board on a trial basis. The City Charter requires board candidates be of voting age and registered to vote. Therefore, the Parks and Recreation Board would like an ex-officio non-voting youth member on a trial basis. The next steps will be to figure out a recruitment process, put together an application, etc. The Parks and Recreation Board will report next year on the impact of having the youth member. City Council members cited the benefits and recommended allowing two youth members on the board.

3. Report on neighborhood input for dog park

Mrs. Manwaring reported on the neighborhood meetings held on February 2<sup>nd</sup> at each location of the proposed dog parks: Fruitdale Park (47<sup>th</sup> Avenue and Miller Street) and Prospect Park (44<sup>th</sup> Avenue and Robb Street). The Committee recommended that the dog area at Fruitdale Park be placed on the south end of the park to distance it from the residences adjacent to the park. Mrs. Manwaring acknowledged this issue and instead recommended moving it farther north away from residences. This would help to contain the area better plus existing sidewalks wouldn't have to be moved. Mrs. Manwaring also stated that she is uncertain whether there is adequate parking at Fruitdale Park, but cannot determine for certain at this time. The Prospect Park dog area is being considered as an area only for small dogs.

The majority of Council supported staff to move forward only with Fruitdale Dog Park initially, and to use open-space funds for its maintenance.

4. Discussion on sales tax and license code revisions

Mrs. Franklin reviewed the memo and made the following proposals from the Sales Tax Division:

- The income and revenue effects of Section 2 (fees) were outlined.
- Currently the sales tax renewal license fee is \$20.00 yearly but it becomes \$70.00 if paid 32 days late. Staff is recommending adopting a tiered plan: \$30 fee with penalty paid 31 days; on day 61 it will increase to \$50.00; and on day 91 it becomes a \$100.00 renewal fee.
- Business license application copy – eliminate \$5.00 fee for copy which is specified in the Code.
- Charging \$50.00 for the initial application license fee with no renewal fees.
- Changes necessary based on statutory changes required to bring the City's code into compliance

Neighboring cities have no renewal fees for business licenses. The same policy might be worth considering to keep in line with other cities. Council debated the merits of charging fees to cover the administrative expenses of collection and late renewal notifications as opposed to promoting a pro-business atmosphere by easing fees.

Council recommended the following proposals from the Staff memo:

- Section 1, regarding the handling of mergers in business/tax licensing: Council supported this section of the proposed changes.
- Section 3, regarding non-resident vendor fees: Council supported changing the time frame for remittance of vendor tax to 20 days.
- Section 4, regarding taxpayer remedies: Both items contained within this section of the memo are mandated by State statutes.
- Section 2, regarding all fees related to business/sales tax licensing such as initial, and renewal fees and fines for different violations: The majority of Council supports increasing the one time application fee from \$5.00 to \$10.00. The majority of Council also supports recommendation D with new license fees at zero and tiered licensing fees/fines as stated in the memo.

Meeting adjourned at 8:54p.m.



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Michael Snow  
City Clerk